

F I L E D
Clerk
District Court

JUN 29 2006

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For The Northern Mariana Islands
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7 Attorney for Plaintiffs

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE**
12 **DISTRICT OF THE NORTHERN MARIANA ISLANDS**

14 ANGELITO TRINIDAD, et al.,) CIVIL ACTION NO. 97-003
15 Plaintiffs,) *Q.W.*
16) **[PROPOSED] ORDER GRANTING**
17 vs.) **MOTION FOR TEMPORARY**
18 JOHN S. PANGELINAN, et al.,) **RESTRANDING ORDER**
19 Defendants.)
20 _____)

21 This matter came before the court on June 27, 2006, for hearing on
22 Plaintiffs' Combined Response to Amended Order to Show Cause and Request for
23 Injunctive Relief ("Request for Injunctive Relief"). Present were counsel for the
24 Plaintiffs and Defendants John S. Pangelinan and Merced B. Pangelinan appearing
25 pro se. The court, having considered Plaintiffs' motion for a temporary restraining
26 order and permanent injunction set forth therein, along with the Declaration of
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1 Lillian A. Tenorio; the exhibits to the motion and declaration; and the files and
2 records of this proceeding, hereby FINDS as follows:
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4 1. Defendants John S. and Merced B. Pangelinan were personally served
5 with the Plaintiffs' Combined Response to the Amended Order to Show Cause and
6 Request for Injunctive Relief on June 16, 2006.
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8 2. To satisfy the balance of the outstanding judgment in this case, on
9 January 28, 2006, this Court issued its Order Granting Writ of Execution,
10 amended by its March 8, 2006 Order, of certain real property located in the
11 Commonwealth of the Northern Mariana Islands, known as Lot No. E.A. 222,
12 comprising approximately 96,905 square meters and situated in Papago, Saipan.
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14 On February 22, 2006, the court authorized Roy Alexander to levy execution upon
15 the property. A judicial sale of the property was scheduled to proceed on June 2,
16 2006.
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18 3. Prior to the sale, John S. Pangelinan published his intent to take
19 immediate action to obstruct and interfere with the judicial sale of Lot No. E.A.
20 222 and to take reprisals against all persons involved with the sale, purchaser(s) of
21 the property, as well as potential bidders. To dissuade potential purchasers from
22 bidding on the property and to intimidate those involved and connected with the
23 sale, Mr. Pangelinan published a Letter to the Editor of the MARIANAS VARIETY
24 containing threats and promises of retribution.
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1 4. The Declaration of Counsel, along with the exhibit submitted
2 concurrently therewith, reflects that as a result of Mr. Pangelinan's interference
3 with this court's orders actions and his prior history of interfering with the
4 collection of the judgment, sale participants feared for their personal safety and
5 well-being; the sale was interrupted; and further collection action on the judgment
6 was deferred.

9 5. In the MARIANAS VARIETY and elsewhere, John Pangelinan has
10 publicly sworn that he "will never yield the property to anyone, "come typhoon,
11 tsunami, volcanic eruption or the devil himself...." Mr. Pangelinan has made his
12 intent to take action against sale participants very clear: "whoever comes over and
13 claims [the property] will feel my wrath with a vengeance."

16 6. The court finds that this is not the first time that John S. Pangelinan
17 has interfered with this court's order of sale and judgment. The tortured history of
18 this case, embedded in the court's file and in the Declaration of Counsel, reflects
19 that in July of 2001, John Pangelinan initiated efforts to divert the rental income
20 from property sold to satisfy the judgment.

23 7. John Pangelinan's actions have interrupted the judicial sale;
24 interfered with judgment collection efforts; and driven up costs associated with the
25 collection of the judgment. If permitted to continue, the court finds that the
26 satisfaction of the judgment will continue to be impeded, and that the Plaintiffs
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1 will suffer immediate and irreparable injury, loss and damage.
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3 Therefore, for good cause shown, IT IS ORDERED that:

4 A. John S. Pangelinan and his agents, employees, successors, and
5 attorneys, and all those in active concert or participation with him or on his behalf
6 shall refrain immediately from impeding or interfering with the levy on and
7 judicial sale of Lot No. E.A. 222, acquisition of property, subsequent occupancy,
8 transfer, quiet enjoyment or other use pending the final hearing and determination
9 of Plaintiffs' request for permanent injunctive relief. John S. Pangelinan and his
10 agents, employees, successors, and attorneys, and all those in active concert or
11 participation with him or on his behalf shall have no direct contact with:
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13 (1) Roy Alexander, his agents or employees,
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15 (2) Lillian A. Tenorio and her employees,
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17 (3) Robert T. Torres and his employees, and
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19 (4) The purchaser of Lot No. E.A. 222
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21 Provided that Mr. Pangelinan may attend the auction of Lot No. E.A. 222, but
22 shall not engage in conduct that would disrupt the auction proceedings or provoke
23 a breach of the peace. Furthermore, if the court confirms and approves the sale of
24 Lot No. E.A. 222, John S. Pangelinan shall relinquish possession of the premises
25 and he and his agents, employees, successors, and attorneys shall leave the
26 premises peacefully without provoking a breach of the peace or interfering with
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1 the use and quiet enjoyment of the premises.

2 B. Plaintiffs' request for a permanent injunction will be heard by this
3 court at ~~10:30~~
4 ^{10:30} am, on July 5, 2006.

5 C. Plaintiffs shall not be required to post a bond or security.

6 IT IS SO ORDERED.

7 Dated this 5 day of June 2006.

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11 DAVID A. WISEMAN
12 Judge Pro Tempore
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